

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

**FILE:** B-218974

**DATE:** September 20, 1985

**MATTER OF:** Quanta Systems Corporation

**DIGEST:**

1. Agency's decision to exclude an offeror from the competitive range is proper where the offeror's technical proposal is so deficient that it would require major revisions before it could be made acceptable.
2. Agency need not expressly identify, in an RFP, the various aspects of stated evaluation criteria which may be taken into account, if such aspects are reasonably related to the stated evaluation criteria.

Quanta Systems Corporation (QSC) protests its exclusion from the competitive range and the award of a contract to United Information Systems (UIS) under request for proposals (RFP) No. N60921-85-R-0079, issued by the Department of the Navy, Naval Surface Weapons Center, Dahlgren, Virginia.

The protest is denied.

The RFP was issued to provide techniques and procedures for automated support for the Naval Air Training and Operating Procedures Standardization Program (NATOPS), for the Navy Tactical Support Activity (NTSA). The solicitation provided for a two-phase effort beginning on March 29, 1985, and ending on September 30, 1985. The third phase is an option and begins, if exercised, on October 1, 1985, and ends on September 30, 1986. Phase I is a study phase, in which the contractor will formulate approaches for conducting NATOPS conference support. In phase II, the contractor will develop an implementation plan for use in testing the procedures developed in phase I. In phase III, the contractor will actually test and evaluate the various approaches developed in phase I.

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The RFP stated that the Navy would evaluate the offeror's proposal on the basis of the information presented in the proposal and the offeror's past performance. The RFP advised that "[e]stimated cost will be compared to technical competence to determine the combination of the most probable cost and technical/management approach that is most advantageous to the government and award will be made on this basis."

The evaluation factors were listed in descending order of relative importance. The factor concerning personnel was given the highest priority, comprising 55 percent of the total evaluation score, and included the following subfactors:

- (a) the capabilities of the personnel assigned to the task;
- (b) demonstrated experience in performing the work; and
- (c) the degree to which personnel who require initial training in the automation of the NATOPS program will be prepared to cope with contractual tasks.

Additionally, the RFP defined certain professional and technical personnel as "key personnel." Offerors were required to submit resumes for all key personnel and, if a proposed key person was not currently employed by the offeror, there had to be a rationale for proposing that individual.

The next evaluation factor rated the offeror's technical approach and management plan, including:

- (a) the degree to which training schedules and technical methodology in general indicate an understanding of the scope, magnitude and complexity of effort;
- (b) understanding of the tasks to be performed and objectives to be achieved;

- (c) understanding of the role of the NATOPS program and the NATOPS model managers; and
- (d) capability of the offeror's team to support the program.

The third evaluation factor under the RFP was corporate experience. Subfactors under this factor included:

- (a) experience in the task areas and related areas, data base development and tactical documentation support experience; and
- (b) ability of the corporation to support project personnel.

The fourth evaluation factor was estimated cost.

Four proposals were received in response to the RFP. UIS received a score of 93.0 out of a potential 100 points, and the Contract Review Board approved the contract negotiator's request for permission to consider UIS the only offeror in the competitive range. QSC received a score of 55.3, and its proposal was rejected as technically unacceptable.

The Navy rejected QSC's proposal for the following reasons:

- 1) QSC did not propose to use a Senior NATOPS Analyst, a key person under the RFP, until phase III and its project manager, also a key person, who QSC proposed to perform the Senior Analyst's functions during phases I and II, was not an adequate substitute;
- 2) QSC failed to establish its technical competence with respect to the NATOPS programs; and
- 3) QSC did not evidence sufficient understanding of the responsibilities and roles of the NATOPS model manager.

QSC disagrees with the Navy's evaluation in these areas and argues that the rejection of its proposal was not justified.

Our Office will not disturb an agency's decision to exclude a protester from the competitive range on grounds that it had no reasonable chance of being selected for award when, considering the relative superiority of other proposals, this determination was reasonable. Ameriko Maintenance Co., Inc., B-216406, Mar. 1, 1985, 85-1 CPD ¶ 255. A protester has the burden of proving that the agency's evaluation was unreasonable. Robert Wehrli, B-216789, Jan. 16, 1985, 85-1 CPD ¶ 43. Moreover, an agency's decision to exclude an offeror from the competitive range is proper where the offeror's technical proposal is so deficient that it would require major revisions before it could be made acceptable. Ameriko Maintenance Co., Inc., B-216406, supra.

As indicated above, QSC was found unacceptable in, essentially, three areas. Under the personnel factor, the RFP explicitly required a Senior NATOPS Analyst who had experience in all aspects of NATOPS publication conference support. QSC did not propose any Senior NATOPS Analyst for phase I or II, instead proposing to use its project manager as a substitute for a Senior NATOPS Analyst in the first two phases. QSC protests that a Senior Analyst really is not necessary and asserts that its project manager has experience (non-NATOPS experience) that qualifies him to assume the functional responsibilities of a Senior NATOPS Analyst through phases I and II.

The RFP estimated a combined level of effort of 3,200 man-hours for the Senior NATOPS Analyst and the project manager. The Navy states that all three phases require sufficient personnel with in-depth NATOPS experience and that it was envisioned that a Senior NATOPS Analyst would be a key participant in every phase. QSC proposed only 540 man-hours of project manager effort for phases I and II and only 960 man-hours for the Senior NATOPS Analyst and project manager for phase III, for a total of 1,500 man-hours, less than 50 percent of the 3,200 man-hours estimated by the RFP.

Further, the specific project manager proposed by QSC had never assumed a management role in a NATOPS program, had never been a NATOPS model manager, and only had experience with manuals different from the NATOPS manual. Although QSC contends that the qualifications of its

project manager were adequate, an agency may reasonably conclude that an offeror is deficient as to the experience and qualifications of proposed staff where that staff had not previously participated in the studies that were the subject of a procurement. See Robert Wehrli, B-216789, supra. Therefore, we cannot find unreasonable the Navy's determination that QSC was deficient in the area of personnel.

The second factor that contributed to QSC's technical unacceptability was the firm's lack of a thorough understanding of the relationships and technical terms within the NATOPS program. The Navy's determination in this regard primarily was based on QSC's failure to discuss several key technical areas. QSC contends that it was unreasonably faulted for not discussing certain technical issues (distribution lists, in-production vs. out-of-production aircraft, and relationships between NTSA, the Naval Air Technical Support Facility and the Chief of Naval Operations, since the RFP did not require or suggest such discussion.

While awards may not be based on criteria not made known to prospective offerors, North American Automated Systems Co., Inc., B-216561, Feb. 15, 1985, 85-1 CPD ¶ 203, an agency need not specifically identify various aspects of stated evaluation criteria if such aspects are reasonably related to the stated criteria. Technical Services Corp., 64 Comp. Gen. 245 (1985), 85-1 CPD ¶ 152. The RFP clearly required offerors to address requirements concerning model managers and manual production personnel (mentioning in-production and out-of-production aircraft) and further stated that offerors should propose a methodology based on knowledge of the NATOPS program and the review and update cycle. The Navy clearly was going to consider the offeror's understanding of the role of the NATOPS program and the model managers, and we find that the above elements reasonably relate to the stated evaluation criteria. QSC admits that, with the exception of the model manager, QSC failed to discuss the above key technical areas. An agency may find a proposal technically unacceptable due to the failure to address key technical areas and for failure to demonstrate the relationship between different aspects of a highly technical program. Ameriko Maintenance, Co., Inc., B-216406, supra.

Finally, we agree with the Navy that QSC was deficient in its understanding of the roles and responsibilities of the NATOPS model manager. Model managers are responsible

for receiving and acting on NATOPS-related information regarding specific types of aircraft. An understanding of the role of the NATOPS program and model manager was an element of the evaluation scheme under the RFP and, furthermore, the RFP stressed the importance of the model manager in the description of the three-phase process and the purpose of the procurement. The Navy asserts that OSC's treatment of the model manager was not in-depth and failed to demonstrate OSC's technical competence. Based on the record, we are unable to find this determination unreasonable.

Accordingly, we find that the Navy acted reasonably in eliminating OSC from the competitive range. Although OSC asserts that it nonetheless should have been included in the competitive range due to its low price, technically unacceptable proposals need not be considered for award, regardless of the price associated with them, for the simple reason that such proposals will not meet the government's needs. Dutchess Electronics Mfg. Co., Inc., B-216962, Nov. 8, 1984, 84-2 CPD ¶ 515.

The protest is denied.

*for Seymour G. Van Cleve*  
for Harry R. Van Cleve  
General Counsel